



WORKERS' COMPENSATION • PROPERTY • LIABILITY

March 26, 2020

Charley Wilkison
Executive Director
Combined Law Enforcement Associations of Texas
400 W 14th Street, #100
Austin, Texas 78701

Re: Coronavirus (COVID-19) and First Responders

Dear Mr. Wilkison;

As you know, the underlying challenges first responders are facing as a result of COVID-19 are unprecedented. We, at Texas Municipal League Intergovernmental Risk Pool (TMLIRP), appreciate this opportunity to provide some information which we hope will be helpful in supporting our first responders in the field. First and foremost, TMLIRP intends to handle workers' compensation cases for first responders who contract COVID-19 under the presumption statute (Chapter 607, Texas Government Code), consistent with your video posted on the CLEAT website earlier this week.

On our website, TMLIRP has provided some general guidance to cities on how workers' compensation claims are to be filed and investigated. We have updated the website to respond to the basic questions we are receiving from our member cities. Guidance is provided for both first responders and other city employees. Please be aware that the guidance on the website is for informational purposes only. Our office is always available to answer any specific questions about individual cases or claims.

Please note that first responders are being treated differently than other city employees. First responders face a different risk of exposure to Coronavirus. First responders are on the front lines of this virus outbreak and the work they do is vital to all communities in Texas, as is the work of so many others in providing medical care. Accordingly, for first responders that have been on duty and who contract COVID-19 during this time, TMLIRP intends to pay for any medically recommended testing for COVID-19 and to provide all benefits available under the workers' compensation presumption statutes. Handling such claims under the presumption statute presumes that the first responder contracted COVID-19 in the line of duty, consistent with the message on your video. Importantly, past the initial testing or diagnosis, in order to move a claim into the workers' compensation arena, the first responder must have a confirmed medical diagnosis that the virus has been contracted. A medical diagnosis can be through a positive test, a presumptive positive test (as defined by the CDC), or absent a test, by a doctor who issues an affirmative diagnosis. Please understand, merely being quarantined does NOT trigger a workers' compensation claim and first responders should not submit such a claim unless, and until, they have a confirmed medical diagnosis. If an individual is quarantined without a diagnosis, that individual will need to inquire of their governmental entity as to the applicability of the *Emergency*

TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL RISK POOL

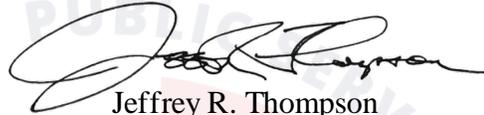
1821 Rutherford Lane, First Floor • Austin, Texas 78754 • (512) 491-2300 • (800) 537-6655 Texas Only
P.O. Box 149194 • Austin, Texas 78714-9194 • www.tmlirp.org

Charley Wilkison, Executive Director
Combined Law Enforcement Associations of Texas
March 26, 2020
Page 2

Paid Sick Leave Act that was included in the *Families First Coronavirus Response Act* passed by Congress and signed into law earlier this week.

TML has supported first responders for the past 47 years through its self-insured workers' compensation program, TMLIRP. We are committed to working with Texas cities – and with the first responders representing those cities – throughout this pandemic to ensure they are provided all the medical care and benefits the law provides. If you have any other questions, I hope you will contact me directly.

Sincerely,



Jeffrey R. Thompson
Executive Director

JRT/djs



TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL RISK POOL

1821 Rutherford Lane, First Floor • Austin, Texas 78754 • (512) 491-2300 • (800) 537-6655 Texas Only
P.O. Box 149194 • Austin, Texas 78714-9194 • www.tmlirp.org
